

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEARNING ANNEX HOLDINGS, LLC,
LEARNING ANNEX, LLC, and
LEARNING ANNEX, L.P.,

Plaintiffs,

v.

RICH GLOBAL, LLC and
CASHFLOW TECHNOLOGIES, INC.,

Defendants.

09 Civ. 4432 (SAS) (GWG)

Plaintiffs' Exhibit List with Defendant's Objections

Ex. No.	Trial Ex. No.	Date	Description	Bates No.	Objections
1	28	7/9/05	Correspondence between Pino, Zanker and Rosin re Dynatech business plan and Learning Annex compensation	LA 00712	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).

2	32	7/22/05	Email from Kane to Del Canto with pro formas for RDPD	LA 0004	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
3	41A	9/7/05	MOU1	LA 00007	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading (Fed. R. Evid. 403). Needs to be redacted pursuant to April 17, 2012 ruling.
4	47	9/15/05	Authorization letter from Lechter to Zanker	LA 0009	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
5	55	9/26/05	Correspondence between R. Whitney and Zanker re Kiyosaki proposal	WHITNEY 00681	Hearsay (Fed. R. Evid. 801 and 802).

6	56	9/26/05	Email/letter from Hyams to C. Lopez re trademark protection	LA 19068-70	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
7	58	9/26/05	Email from R. Whitney to Zanker and Orens re proposal	LA 00010	Hearsay (Fed. R. Evid. 801 and 802).
8	60	10/3/05	Correspondence between Zanker and Wolff re Rich Dad business ventures	RD ESI 39186	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: promotional activities.
9	69	10/25/05	Email from Zanker to R. Whitney re proposal	LA 18971	Hearsay (Fed. R. Evid. 801 and 802).
10	70	10/26/05	Correspondence between Kane, Zanker and Del Canto re RDPD PowerPoint	LA 00021	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).

11	90	12/5/05	Correspondence between Kane, Zanker, Del Canto, Orens and Whitney re NYC meeting	LA 0047	Hearsay (Fed. R. Evid. 801, 802).
12	102	1/6/06	Correspondence between Kristin Thomas and Zanker re 1/11/06 meeting	WHITNEY 5727	Hearsay (Fed. R. Evid. 801, 802).
13	113	1/13/06	Correspondence from Kane to participants recapping meeting on 1/11/2006 (MOU2)	LA 0063	Hearsay (Fed. R. Evid. 801, 802), irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading (Fed. R. Evid. 403).
14	118	1/20/06	Correspondence from A. Mannion to participants with agenda for meeting and RDE projections	WHITNEY 5712-15	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
15	122A	1/27/06	Correspondence between Kane and Lechter re results of meeting		Hearsay (Fed. R. Evid. 801, 802).

16	126A	2/1/06	Correspondence between McElroy and Kane re letter of intent	WHITNEY 0004883, 0004878	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Needs to be redacted pursuant to April 17, 2012 ruling.
17			EXHIBIT REMOVED		
18			EXHIBIT REMOVED		
19			EXHIBIT REMOVED		
20			EXHIBIT REMOVED		
21			EXHIBIT REMOVED		
22	151	3/29/06	Correspondence between Kane and Lechter re collaboration	WHITNEY 0005247	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
23			EXHIBIT REMOVED		

24	181	9/29/06	Correspondence between Del Canto and Zanker	LA 19203	
25	199		Summary of Rich Dad Global Royalties and Management Fees (November 2006-August 2007)	RD-ESI 0028181-82	Hearsay (Fed. R. Evid. 801 and 802).
26	205	3/31/09	Tigrent Form 10-K YE 12/31/08		Hearsay (Fed. R. Evid. 801 and 802).
27	212	April 2012	Payments made by Rich Dad Education to Rich Global	RICH-DAD-RFP 008780	Hearsay (Fed. R. Evid. 801 and 802).
28	222	3/3/11	Tigrent Form 10-K YE 12/31/10		Hearsay (Fed. R. Evid. 801 and 802).
29			EXHIBIT REMOVED		
30	231	March 2006	Executed LOI between Rich Dad and Whitney	WHITNEY 0008283	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).

31	255		Soudry Resume		Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
32	259	5/29/07	Tigrent 10-K YE 12/31/2007		Hearsay (Fed. R. Evid. 801 and 802).
33	300		Soudry Summary Exhibit ¹		Hearsay (Fed. R. Evid. 801 and 802). Objection to gross revenues of entire free seminar business in accordance with Court's ruling.
34	301		Soudry Summary Exhibit		Hearsay (Fed. R. Evid. 801 and 802). Objection to gross revenues of entire free seminar business in accordance with Court's ruling.
35			Licensing Business Handbook		Hearsay (Fed. R. Evid. 801 and 802).

¹ Plaintiffs reserve the right to update the Soudry Summary information, Exhibits 33 and 34, and add related exhibits once updated financial information regarding the amount of compensation Rich Dad received from the free seminar business in 2011 and 2012 is provided by Defendants or Whitney.

36			<i>Rich Brother Rich Sister</i>		Irrelevant (Fed. R. Evid. 401 and 402), unfairly prejudicial (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: evidence not on prior exhibit list.
37			February 6, 2012 Licensing Letter Issue		
38		4/11/11	Exhibit Removed		
39		3/5/12	Exhibit Removed		
40			Seth Matlins Resume		Unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
41		4/11/11	Exhibit Removed		
42		4/25/11	Expert Report of Thomas Pastore		
43		3/5/12	Supplemental Expert Report of Thomas Pastore and all Exhibits and Appendices		

44	108	3/24/10	Rich Dad Education formation documents		Irrelevant (Fed. R. Evid. 401, 402).
45		11/19/09	Deposition testimony of Sharon Lechter: 6:09-6:10; 7:20-8:03; 9:06-10:04; 12:08 – 13:09; 18:24 – 19:22; 32:06-32:23; 34:19-35:13; 37:01-39:07; 44:22-45:07; 47:17 - 48:23; 49:15-50:04; 52:11-52:17; 53:16-55:09; 57:1-59:01; 63:04-63:11; 87:14-88:02; 93:01-93:07; 101:20-102:20		<i>See</i> Defendant's Objections to Plaintiffs' Deposition Designations.
46			Exhibit Removed		
47	29	7/12/05	Email between Roshin (Dynatech) and Del Canto re Rich Dad proposal	LA 656	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
48	78	11/7/05	Correspondence from Huhem (MIT) to Zanker re Rich Dad brand strategy	LA 20600	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).

49	82	11/16/05	Correspondence between Lechter, Seifert, Hyams re trademark issues	LA 18222	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
50	83	11/16/05	Correspondence between Lechter, Hyams and Seifert re trademark issues	LA 18226	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
51	103	1/6/06	Correspondence between Kane, Zanker, Whitney re 1/11/06 meeting	WHITNEY 5727	Hearsay (Fed. R. Evid. 801, 802).
52	187	11/8/05	Correspondence between Munson (MIT) and Zanker re Rich Dad Opportunity	LA 00711	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
53			The Licensing Business Handbook Brochure [Pastore Mar. 2012 Deposition Exhibit 13]		Irrelevant (Fed. R. Evid. 401, 402), hearsay (Fed. R. Evid. 801, 802).

54			Nevin Sanli and Tom Pastore, Remaining Public - The Best Option in Troubled Markets [Pastore Mar. 2012 Deposition Exhibit 14]		Irrelevant (Fed. R. Evid. 401, 402), hearsay (Fed. R. Evid. 801, 802).
55		January 2010 – June 2010	Rich Dad Education LLC and Affiliates – Licensing & Management Fees – All Companies		Unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to information regarding gross revenues of joint venture. Objection to information regarding payments not yet received.
56		July 2010 – December 2010	Rich Dad Licensing and Cost Recovery Expense – All Companies		Unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to information regarding gross revenues of joint venture. Objection to information regarding payments not yet received.

57		January 2011 – February 2012	Rich Dad Licensing Fee		Unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to information regarding gross revenues of joint venture. Objection to information regarding payments not yet received.
58			Tigrent Operations Plan 2011-2016		Unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Objection to information regarding gross revenues of joint venture. Objection to information regarding payments not yet received.
59	117	1/20/06	Correspondence between A. Mannion , Zanker, Kane and others re: Rich Dad Education monthly projections	LA 00065	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802). Attachment not on previous exhibit list.

